

### REMARKS

Claims 1 through 25 are pending and under consideration in the above-identified application. Claims 1-3, 5-13, 15-18, 21 and 22 were rejected. Claims 4, 14, 19, and 20 were objected to as being dependent upon a rejected base claim. Additional informalities were also raised in claim 23. Claims 23-25 were considered to contain allowable subject matter.

In response to the objections raised by the Examiner in claim 23, Applicants have canceled claim 23 for prosecution in a subsequent continuation application. Therefore the objection raised for claim 23 is moot.

In response to further objections raised in claims 4, 14, 19, and 20, as being dependent upon a rejected base claim, Applicants have cancelled claims 4, 14 and 19-20, as a matter of expediency in order to place the pending claims in order for allowance. Therefore, the Examiner's objection regarding claims 4, 14 and 19-20 may be properly withdrawn.

The Examiner rejected claim 21 under 35 U.S.C. §112, second paragraph for indefiniteness since it is dependent upon itself. Applicants have also cancelled claim 21, as a matter of expediency in order to place the pending claims in order for allowance. Therefore, the Examiner's rejection regarding claim 21 may be properly withdrawn.

Claims 1-3, 5-7, 9-13, 15-17, 21-22 were rejected under 35 U.S.C. §102(e), as being anticipated by *Yokoyama et al.* (U.S. Patent No. 6,775,654 B1). Applicants have cancelled claims 1-3, 6-7, 9-13, 16-17, and 21-22. Therefore, the Examiner's rejection regarding claims 1-3, 6-7, 9-13, 16-17, and 21-22 may be properly withdrawn.

The Examiner rejected claims 5 and 15 as assertedly being anticipated by *Yokoyama et al* based on the argument that *Yokoyama et al* discloses the feature of the instant application of "calculating a correlation function for the audio signal before and after the deleted segment in the step of deducing the audio signal and evaluating the similarity by referring to the calculated correlation function as specified thereof." Applicants respectfully disagree and traverse this rejection.

With respect to claims 5 and 15 as amended to be in independent form, Applicants claim an audio signal processing method and apparatus that includes, among other limitations, an element of calculating a correlation function for the audio signal before and after said deleted

segment and evaluating the similarity before and after the deleted segment by referring to the calculated correlation function. In one embodiment, Applicants teach how to derive a mutual correlation coefficient function  $R(p)$  of the waveform in front of the deleted segment and the waveform in back of the deleted segment) to identify the back and forward waveform portion or portions having the greatest similarity for generating the repair signal. See, Original Application at pg. 31:24 - pg. 38:23; Figs. 12-14.

*Yokoyama et al.* discloses a digital audio reproducing apparatus that has an “audibility correcting means 7 that “deletes the failing digital audio information and places the pieces of the digital audio information neighboring the failing digital audio information close to each other [ so that] “the pieces of the digital audio information neighboring the failing digital audio information may be brought to connect with each other at respective positions most coincident to each other in audio signal level ...and the slope of the audio signal level.” *Yokoyama*, Col. 21:19 - Col. 22:16; Col. 31:24-32. *Yokoyama* further discloses a time adjust process that the “audibility correct means 7” may follow so that it can connect the neighboring digital audio information pieces “at an optimum position with high correlation in terms of audibility, unlike in the case in which two audio signals are merely subjected to a weighting and adding process.” *Yokoyama*, Col. 22:49 - Col. 24:16. Thus, *Yokoyama* discloses digitizing an audio signal frames to identify correlated audio signal level and slopes of corresponding neighboring frames. But *Yokoyama* fails to disclose calculating a correlation function for the audio signal before and after the deleted segment and using that correlation function to identify the similarity of the waveforms before and after the deleted segment as taught and claimed by the Applicants. Accordingly, Applicants respectfully request that the rejection of claims 5 and 15 be withdrawn.

Claims 8 and 18 were rejected under 35 U.S.C. §103(a) for allegedly being obvious in view of *Yokoyama et al.* in view of *Fujishima* (U.S. Patent No. 4,835,758). Applicants have cancelled claims 8 and 18 as a matter of expediency in order to place the pending claims in order for allowance. Therefore, the Examiner’s rejection regarding claims 8 and 18 may be properly withdrawn.

Therefore, it is submitted that the above amended claims address the matters raised in the Office Action.

**CONCLUSION**

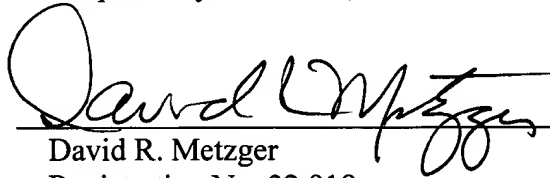
In view of the above amendments and remarks, Applicants submit that claims 5 and 15 are allowable and that the application is in condition for allowance. Note to that effect is requested.

The Commissioner is hereby authorized to charge any deficiency in required fee to Deposit Account No. 19-3140.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "David R. Metzger", is written over a horizontal line.

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